



William D. Reilich
Supervisor

TOWN OF GREECE

PLANNING BOARD MINUTES

MARCH 16, 2016

Work Session Began: 6:30 p.m.

Meeting Began: 7:00 p.m.

Place: Community Conference Room, Greece Town Hall

Present

Alvin I. Fisher, Jr., Chairman

Rick Antelli

Christine R. Burke

William E. Selke

Jamie L. Slocum

Michael H. Sofia

Christopher A. Schiano, Esq., Deputy Town Attorney

John Gauthier, P.E., Associate Engineer

Scott R. Copey, Planner

Michelle M. Betters, Planning Board Secretary

Absent

Devan Helfer

Additions, Deletions and Continuances to the Agenda

Announcements

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PUBLIC HEARINGS

Old Business

1. Applicant: The Church of the Mother of Sorrows of Greece, Monroe County, N.Y.

 Location: 5000 Mount Read Boulevard

 Mon. Co. Tax No.: 046.14-08-001

 Request: Minor subdivision approval for the Mother of Sorrows subdivision, consisting of 2 lots on approximately 10.25 acres

 Zoning District: R1-12 (Single-Family Residential)

The following is a synopsis of the discussion pertaining to the above-referenced request.

Richard Giraulo, LandTech/LaDieu Consulting, LLC, presented the application:

Mr. Giraulo: We were here about a month ago, at that time we were asked to get some variances, they were granted last night. We confident that both sites have their own sanitary water services and we are just coordinated mapping those out but should not be an issue.

Mr. Copey: They were granted the variance last night and we have had some discussion regarding easements, I'm not sure if there is anything definitive regarding the busses using the Mt Read exit. The cross access easements would be included in the resolution and would need to be filed before the map gets signed.

Mr. Gauthier: Comments are relatively technical, we are trying to get addition information on definition on easements and just verifying the disturbance will be under 4,000 square feet or would there be permeable pavement involved.

Mr. Giraulo: Those are site plan issues, there will be a separate application and will have that information.

Mr. Gauthier: In terms of the subdivision there are no issues.

Father Coffus: To answer the question in terms of parking and the passage of busses throughout the property, we are working with the lawyers and to enter into a written agreement.

Rachel Christensen, 44 Paddy Hill Circle: The historic part of the church, is there some way we could save the religious artifacts?

Mr. Fisher: The state law required that if will be used as an educational institution, I believe those items will be saved.

Mr. Coffus: The building we are discussing is the old church, it looks like an old abandoned library. The bell has been preserved, we plan to display it, the other items is the statue of Mary, and it will be preserved and displayed as well. We want to make sure those are put in a safe place and preserved. There is not much else, but have the word from the school that the dignity of that building will be preserved.

Joe Camiolo, 447 Craig Lane: I'm here on half of my mother Jane Camiolo, 4874 Mt Read Boulevard. I just want to make sure that we don't lose sight that the old church was once a library, so the precedence has been set. There is a lot of significates, but yet the best thing we can do to keep that building is to look at the minor things to be done, that whole property

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is set up for a school and it upsets me if anyone thinks there would be a problem with it becoming part of that again.

Motion by Mr. Sofia, seconded by Ms. Burke:

WHEREAS, The Church of the Mother of Sorrows of Greece, Monroe County, N.Y. (the "Applicant") has submitted a proposal to the Town of Greece (the "Town") Planning Board (the "Planning Board") for approval of a minor improvement plan, as more fully described in the minutes of this public meeting (the "Proposal"), relative to property located at 5000 Mt Read Boulevard (the "Premises"); and

WHEREAS, the Planning Board makes the following findings:

1. Upon review of the application, the Planning Board determined that the application is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the "SEQRA Regulations") (collectively, "SEQRA"), and that the application constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2) & (7).)
2. According to SEQRA, Type II actions have been determined not to have a significant adverse impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action relative to the Proposal.

Mr. Sofia then made the following motion, seconded by Ms. Burke, to approve the Proposal, subject to the following conditions:

1. The Applicant shall develop the Premises in conformity with all details of the Proposal as presented in the written descriptions and site development plans, as orally presented to the Planning Board, and as set forth herein. In the event of any conflict among the oral or written descriptions of the proposal, the site development plans of the proposal, or the requirements or restrictions of this resolution, the Applicant agrees that the Planning Board shall determine the resolution of such dispute.
2. This subdivision map is for conveyance purposes only; no new construction is proposed. Approval of this map does not supersede any other conditions imposed by the Town of Greece or any other agency. Additional Town of Greece approvals must be obtained before any future construction. A note that indicates this requirement shall be added to the plat.
3. Cross access easements shall be provided in a form acceptable to the Planning Board Attorney, and shall contain a provision which prohibits substantial modification or termination of the easement without prior approval of the Town of Greece. Such easements shall be recorded in the Office of the Monroe County Clerk. A note to this effect shall be added to the plat.
4. Subject to approval by the Town's Commissioner of Public Works and Engineering staff.
5. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include successors and assigns.
6. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.

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7. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.

VOTE:	Antelli	Yes	Burke	Yes
	Helfer	Absent	Slocum	Yes
	Selke	Abstain	Sofia	Yes
	Fisher	Yes		

MOTION CARRIED
APPLICATION APPROVED

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New Business

None

SITE PLANS

Old Business

1. Applicant: Crescent Beach Restaurant and Hotel, LLC
Location: 1372, 1384 & 1390 Edgemere Drive
Mon. Co. Tax No.: 035.09-1-21, 035.09-1-22, 035.09-1-23
Request: Site plan approval for the following changes to the site of an existing restaurant: addition of concrete patio north side and pavilion on the east side; revised parking lot layout; removal of an accessory structure (one-car garage); and related utilities, grading, and landscaping, on approximately 2.6 acres
Zoning District: BR (Restricted Business)

The following is a synopsis of the discussion pertaining to the above-referenced request.

Richard Giraulo, LandTech/LaDieu Consulting, LLC, and Zenon Konopka presented the application:

Mr. Giraulo: At last meeting it was determined that we needed variance for the pavilion, it could be no closer to the water than the building itself, that is shown on the plan, we have added the notation as it was granted last night. The Town has some comments regarding the dumpster enclosure that will be a solid white vinyl fence. It will be higher than the dumpster itself. Comments we received from engineering have been addressed. We will be some concrete landscape concrete islands to better define that Edgemere Drive. The parking lot will be resealed, restriped and holes will be patched.

Mr. Copey: There is not a whole lot that is new, they did receive approval from our Board of Zoning Appeals. They do need to obtain re-approval or their special use permit from Town Board. In the resolution I have added that that will have to be done prior to us signing off on the site plan. We have had discussion regarding parking in relation to the pavilion and uses and that may well be dealt with most appropriately by Town Board and the special use permit.

Mr. Gauthier: We had comments asking to show all utilities, laterals, laterals and pages shown on the plan.

Marcia Clegg, 1412 Edgemere Drive: This has been going on forever and ever, is there any end in sight? We live down there, it's just mess, and there is a dumpster that is filled. We have been in and out of court, in and out of meetings. When will this happen?

Mr. Konopka: When I came on board, I kind of spear headed this, not only is time valuable to me and us, we really want to this perfect, and want to hang our hat on this, of being the best place on time. We had some speed bumps before I came on, I think we have made some momentum and hope to have this opened and get some summer months in. The town has been great to me since I have been here. I really do think we are at a point there is a light at the end of the tunnel and hopefully we'll end up with a beautiful place.

Ms. Clegg: I'll take your word for it.

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Mr. Konopka: Thank you.

Kevin Cleary, 1432 Edgemere Drive: I still see employee parking backing into the roadway. There is nothing stopping them, I don't see a change after two years. It's a road and it's a safety issue. I'm as confused as to why the applicant has so much resistance as to what the town and the neighbors want, they can't even empty the dumpster. It's a disaster.

Mr. Giraulo: Sorry for your frustration, it's good to see that everyone wants to get this done. We did make some changes, the island is larger, and we have a 24 foot wide foot standard aisle for backing up without encroaching into the roadway. This is a much safer condition that we have had out here.

Mr. Konopka: Again sorry for the frustration, our engineer has said there is enough room to back out but we could put a sign and let staff know that they have to back in and I will enforce that, you have my word.

Mr. Selke: What if you extend the curb, you're saying it designed correctly so there is better access.

Mr. Giraulo: Yes, it allows for better access.

Mr. Sofia: Where are we on parking spaces?

Mr. Giraulo: 125 spaces, code requires 115.

Mr. Konopka: On every night there will be complimentary valet parking, on busier nights, the valet company say they can double park or triple park that will open up spaces that we need.

Mr. Cleary: What is proposed to the lighting, it's fairly dark there and for safety it should be well lit.

Mr. Fisher: One issue that we have tried to address it to be clear where the road is, that's why there is the curbed island, before who know, they would park across, everywhere, this will be well defined. The Fire Marshal has to be sure emergency vehicles can get through.

Mr. Cleary: Will there be a striped line that shows it's a road?

Mr. Fisher: Primary we want to be sure that people know where to cross and also a vertical element as well or sign so you can see it in the winter.

Mr. Schiano: Are you talking about the yellow line in the road.

Mr. Fisher: Most subdivision roads do not have a line.

Mr. Selke: Because of the road you want it to be clear.

Mr. Gauthier: If it's determined that it's needed, and don't see it a problem for us.

Mr. Cleary: So make it look more like a road would make it safer.

Mr. Copey: The Planning Board could put a condition that the applicant has to request advisement from the Town's Traffic Advisory Council about how to mark the road. They could come back and say that's not standard practice, point well made.

Mr. Giraulo: There is an existing light on that island, there are concerns about the roadway but this is heavily identified now with curbing and landscaping on both sides of the roadway.

Mr. Selke: What about the parking lot lighting.

Mr. Giraulo: That is show in the plans and there will be new heads put on and will not affect the neighbors.

Mr. Selke: Have you considered putting in more handicapped parking?

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Mr. Konopka: With the valet parking they will be picked up at the door. I did note that last meeting and that will be a priority. The experienced population will be taken care of and very assessable. It's important to us to have a safe and accessibility, you can't have the best place in town without that.

Mr. Selke: The delivery area will all be taken care of? We were talking about the road will it have a street sign? Is this a county road?

Mr. Copey: We have proposed one. Yes it is, Crescent Beach Road is a town road.

Mr. Konopka: With the valet parking will be a win, win and will solve the parking issue, we look forward to it and it will be complementary.

Mr. Copey: Where will you stack the cars?

Mr. Giraulo: We will start near Edgemere and then fill in.

Mr. Copey: We should have the Fire Marshal take a look.

Mr. Selke: What about screening for the neighbor on west.

Mr. Giraulo: Landscaping plan shows arborvitaes for screening.

Mr. Sofia: Is there a walk-in cooler?

Mr. Giraulo: It will be shielded by a fence.

Mr. Sofia: Great, thank you. There is a really small shoulder near Edgemere, so when the bio-retention pond goes in, so it will be a police issue if people start parking there. What is the barrier between the parking lot and the property to the west? On the south side of the parking lot, what will be there?

Mr. Giraulo: This has been submitted to the Monroe County Department of Transportation for review. There will be a four-foot vinyl fence and on the south will be post and rope.

Mr. Sofia: There is no secret to the history of the property, I have driven past and have not seen any work taken place, my question is there has been permits and work that could have been done but has not, and so what is the realistic time line.

Mr. Konopka: There are things have been done and feel confident that when we get the full go-ahead things will happen quickly. We are working with some of the best in the business. I would be disappointed if July 4th we aren't open.

Mr. Sofia: So would the neighborhood and the town, so if you get conditioned tonight, there are no other holdups, except the special use permit, but that just prevents you from opening, but you have nothing to prevent you from putting a hammer on the wall tomorrow, if that is the case, when with the hammers start, when will you move the dumpster?

Mr. Konopka: The hammers will be going against the wall tomorrow, I mean as quick as we can. I'm not the most patience people in the world, I'm the kind of people that can find a way to get things done, I've done that all my life in and every profession I've been in, I really like this challenge. I know there has been issue in the past but I think we are past those. It's time to get going.

Mr. Sofia: How does the Town Board know we are concerned with the parking and the pavilion?

Mr. Copey: Gary Tajkowski is aware and he advises the Town Board, we could put something in the resolution.

Mr. Konopka: With the valet parking I don't think that will be an issue, let's just get this moving, you have my word.

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Mr. Copey: They do meet code.

Ms. Burke: What do you intend to use the pavilion for? It's open, how will you have a wedding reception if it's raining and real windy. What will prevent that?

Mr. Konopka: We are doing the best we can, at this point it's better than a tent, it looks a lot better, there is some stipulations, I think that we can work with keeping it open, but breaking the wind and rain, if is some brides special day, rain can put an end to the day. Moving forward, we are working with some great consultants that have done this for a living and done on the recommendation and I think it will help, it will help with the sun and something we want to do the proper way, keep it at an A plus venue. It would be cheaper to have a tent, but to have the best place we needed that.

Mr. Fisher: I think a lot of people are interested in Crescent Beach because it's been a real community resource. As we have gone through this process and having the participation of the neighbors raising the concerns and questions and appreciate the applicants willingness to make the changes to be able to improve the site so that is can be open, so I'd like to thank you.

Mr. Konopka: What happened in the past was the past, but its common sense.

Mr. Fisher: Your openness has been refreshing and I think we are going to end up with a good product.

Motion by Mr. Selke, seconded by Mr. Antelli:

WHEREAS, Crescent Beach Restaurant and Hotel, LLC (the "Applicant") has submitted a proposal to the Town of Greece (the "Town") Planning Board (the "Planning Board") for approval of a site plan, as more fully described in the minutes of this public meeting (the "Proposal"), relative to property located at 1372, 1384 & 1390 Edgemere Drive (the "Premises"); and

WHEREAS, the Planning Board makes the following findings:

1. Upon review of the application, the Planning Board determined that the application is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the "SEQRA Regulations") (collectively, "SEQRA"), and that the application constitutes a Type II action under SEQRA. (SEQRA Regulations, §617.5(c) (2) & (7).)
2. According to SEQRA, Type II actions have been determined not to have a significant adverse impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action relative to the Proposal.

Mr. Selke then made the following motion, seconded by Ms. Antelli, to approve the Proposal, subject to the following conditions:

1. The Applicant shall develop the Premises in conformity with all details of the Proposal as presented in the written descriptions and site development plans, as orally presented to the Planning Board, and as set forth herein. In the event of any conflict among the oral or written descriptions of the proposal, the site development plans of

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the proposal, or the requirements or restrictions of this resolution, the Applicant agrees that the Planning Board shall determine the resolution of such dispute.

2. A dated signature of the owner/developer shall be added to the plan.
3. Subject to the Town Board's approval of a Special Use Permit to operate a restaurant.
4. The landscaping on the Premises shall be maintained by the current owner of the Premises, and by any future owner. The owner of the Premises shall replace any dead plants with the same species or a similar species. The replacement plant shall be no smaller than the previous plant when it originally was installed. A note that indicates these requirements shall be added to the plan.
5. Prior to the issuance of a Final Certificate of Occupancy for the Premises, The Applicant shall provide certification verifying proper installation of landscape areas on the site in accordance with the landscape plan approved by the Planning Board, and in accordance with the Town's Landscape Guidelines for Development. Such certification shall be on the certification form provided in such guidelines and shall be completed by a New York State Licensed Landscape Architect or Certified Nursery Professional. A note that indicates these requirements shall be added to the plan.
6. As offered and agreed by the Applicant, the existing dumpster enclosure shall be upgraded to white vinyl fence, so as to completely screen the dumpster and coolers from public view.
7. Light spill shall be contained on the Premises. Outdoor light sources shall be aimed or shielded so that they are not visible when viewed from off the Premises, and so that light spill is cast only downward onto the Premises. Exempt from this requirement are low-wattage or low-voltage lights that are located near the principal entrance to a building, and low-wattage or low-voltage lights, not higher than 42 inches above grade, that define a walkway or other access to a building. A note that indicates this requirement shall be added to the plan.
8. Snow storage areas shall be identified on the plan.
9. The special use permit and area variances that were granted and the date on which they were granted shall be added to the plan.
10. The locations of all exterior doors shall be shown on the plan. All exterior doors shall be connected by a sidewalk to an acceptable fire safety zone.
11. No pre-construction meeting shall be scheduled unless and until a Notice of Intent (NOI) has been filed with the New York State Department of Environmental Conservation (the "NYSDEC").

Throughout the life of the storm water permit (from the filing of the Notice of Intent to the Notice of Termination), the developer shall comply fully with all aspects of the NYSDEC General Permit No. GP-0-15-002, particularly Part IV, which describes:

- periodic inspections of the construction site by a qualified professional; and
- maintenance of a site log; and
- stabilization requirements; and
- Maintenance of sediment traps and ponds during construction.

The periodic inspection reports shall be provided to the Town's Engineering staff within 24 hours of inspections.

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12. Subject to approval by the Town's Fire Marshal, Commissioner of Public Works, and Engineering staff.
13. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include any successors and assigns.
14. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
15. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.
16. The pavilion shall not be enclosed, any materials installed to the pavilion acting as sides walls, weather protection, etc. is not permitted.
17. As offered and agreed by the Applicant staff only parking signage shall be installed in staff parking area and shall require employees to back in to the three most northern parking spaces.
18. Center lane striping and other road markings may be appropriate for this section of Crescent Beach Road. The Applicant shall install road markings as may be directed by the Commissioner of Public Works, based on advice of the Traffic Advisory Counsel
19. Proposed valet parking described this evening shall be subject to approval by the Fire Marshall and the Planning Board Attorney.

VOTE:	Antelli	Yes	Burke	Yes
	Helfer	Absent	Slocum	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

MOTION CARRIED
APPLICATION APPROVED

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2. Applicant: Indus Real Estate II, Inc.
 Location: 2585 West Ridge Road & 1271 Long Pond Road
 Mon. Co. Tax No.: 074.14-3-10, 074.14-3-13
 Request: Site plan approval for a proposed mixed-use commercial building
 (one-story, 6,275± square feet) with drive-up service window,
 related parking, utilities, grading, and landscaping, on
 approximately 1.2 acres
 Zoning District: BR (Restricted Business)

The following is a synopsis of the discussion pertaining to the above-referenced request.

Matt Tomlinson, Marathon Engineering, and Kip Finley, Indus Hospitality, presented the application.

Mr. Finley: Our special use permit for the Starbucks was approved, they took it upon themselves to put a condition on for cross access, which was one of the topics that this Board was working, they did that for you. We received setback variance for parking and building approved last night. The Board was reluctant to address the parking variance because they really did not feel that we could commit to a 3,200 square foot restaurant, they want more information. So we are here to request approval for the site, building shown with the Starbuck, restaurant and retail. Their reluctance to decide on the parking means we now have to try and find a tenant to go through the process to go through the special permit process so we can go through variances process, so we can sign a lease so we can build a building, so you won't see much action on this site for months. WE are in final agreements with Heritage so that we can work on the property. We made an offer to the neighbor to the south and we have to come to a conclusion before we have plans signed.

Mr. Copey: We have covered most, they receive variances, they receive special use permit. The question of cross access, the most recent shows cleared of parking striping, it's 18 feet wide, show an easement, the pavement stops short we would recommend to have it extend to the functioning driveway.

Mr. Finley: On the south, it's paved.

Mr. Tomlinson: We will extend that.

Mr. Copey: It has to be clear on the plans.

Mr. Gauthier: We have not completed our review and remaining comments seem technical and would not have any bearing on an approval.

Mr. Tomlinson: We have made some improvements with the additional greenspace on the south edge.

Ms. Matthews, 1273 Long Pond Road: I own the property there, I have some concerns with this company in that they have been unwilling to work with me. Last night there was some resolve with maintaining the access to former Edwards Press parking lot and to West Ridge Road, we desperately need for the safety of our client and customers. Safety vehicles and distributors also accessing our lot, the only entrance is from Long Pond Road and is only one car width wide. This would not work with just that entrance.

Mr. Schiano: Just so I'm clear, how long have you been in that location?

Ms. Matthews: Two and half years.

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Mr. Schiano: During that two and half years, not that there was anything in writing, there was an implied easements that everyone could use the driveway?

Ms. Matthews: Yes, between Charlie Edwards and me.

Mr. Schiano: It was open and everyone basically knew that?

Ms. Matthews: Yes

Mr. Fisher: At our last meeting we tried to make it as clear as possible that we expected there would be cross access for safety purposes. This is something the Planning Board looks at every time we have a site plan, is it appropriate to have cross access between adjacent sites, and we made the determination and I think there was also a recommendation from the Traffic Advisory Council that there be cross access, it's important for our purpose, one of our stipulations is there be cross access, I think that was echoes as part of Town Board. It's important that takes place as part of the action on the site.

Ms. Matthews: Will it be wide enough?

Mr. Copey: It will be 18 feet wide.

Ms. Matthews: So during the winter there will be enough room?

Mr. Copey: Yes.

Mr. Sofia: Could you show us where the cross access will be? So we are going to have two entrance on Long Pond?

Mr. Gauthier: Part of the challenge is that it is a county road. We would have a difficult time restraining that?

Mr. Fisher: I think that is one reason to have cross access, it make it safer.

Mr. Sofia: It satisfies the Board.

Mr. Tomlinson: It's not wide enough to have two double stacked parking.

Mr. Fisher: So applicant will provide evidence that cross access will be granted.

Ms. Matthews: I still have concerns with the exiting vehicles.

Mr. Copey: The Monroe county Department of Transportation, still has to review and are waiting for comments from them.

Ms. Matthews: What kind of landscaping and signage will be put there so that it does not block us?

Mr. Tomlinson: We do not have signs yet, the landscaping will be a low guiderail, 30 inches in height.

Mr. Sofia: When the house comes down your building will be more visible.

Mr. Finley: The material will be primarily brick with some accents of stucco, a lot of glass for the store front, there will be some cedar. The colors will be brown or earth tones.

Mr. Selke: Do we need details for the height of the guard rail?

Mr. Finley: Right now her driveway encroaches on our property the whole way and they need that space to fit vehicles. It will keep vehicles from pulling too far in. Before we finish I'd like ask, #2 the applicant will modify the driveway for cross access, for the final plans we have done that, will this be the same condition repeated by the Town Board.

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Mr. Copey: The Town Board did not specify that it needed to be unobstructed or that it needs to be a functioning curb, this a condition that the Planning Board puts on routinely, typically the Planning Board will be more specific in site design. They are not conflictive.

Mr. Finley: I would like it for the record that we are only doing this to get our site plan approval, being an engineer for 30 years, there is no traffic safety purpose, for this I would like it put in the notes.

Mr. Fisher: That's not true, we had our traffic advisory committee who has people, and I would say are substantially more qualified than yourself to be able to judge traffic and safety issues. They do it in an independent way, and those are the people we rely on, we don't rely on you, we rely on them, I think there is a substantial issue as an evidence by the fact that Town Board felt it important to be able to add to it, so I think it's a real issue.

Mr. Finley: We are going along with it, we felt it was a favor to the neighbor more than anything.

Mr. Fisher: We do it all the time, safety is our priority. If there is an issue we are adamant that it is taken care of.

Mr. Finley: Town Board put us in an awkward position last night by putting that condition in, now our neighbor pretty much expects to have use of our property for free.

Mr. Sofia: That does not grant her permission to have her customers park cars on your property, as long as I've been on this Board, there has been only one case where did not allow and that was because it was a safety issue to have it. There were too many residents in the area that would use it as a cut through. We have always requested cross access, it is for safety issues, we have no obligation to the neighbor and you are out of line for saying so.

Mr. Finley: Were you at town board?

Mr. Sofia: I was not, but you're talking to this Board.

Mr. Fisher: On the other hand, I appreciate the flexibility you have shown in the way the building is sited, it's dramatically improved as to what it came in as. It provides a big safety improvement for people and give you more effective parking. I believe it is site that will work well.

Motion by Mr. Selke, seconded by Ms. Slocum:

WHEREAS Indus Real Estate II, Inc. (the "Applicant") has submitted a proposal (the "Proposal") to the Town of Greece (the "Town") Planning Board (the "Planning Board") for approval of a site plan, as more fully described in the minutes of this public meeting, relative to property generally located at 2585 West Ridge Road & 1271 Long Pond Road (the "Premises"); and

WHEREAS, the Planning Board makes the following findings:

1. Upon review of the Proposal, the Planning Board determined that the Proposal is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the "SEQRA Regulations") (collectively, "SEQRA"), and that the Proposal constitutes an Unlisted action under SEQRA.
2. The Planning Board has considered the Proposal at a public meeting (the "Meeting") in the Greece Town Hall, One Vince Tofany Boulevard, at which time all parties in interest and citizens were afforded an opportunity to be heard.

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3. Documentary, testimonial, and other evidence were presented at the Meeting relative to the Proposal for the Planning Board's consideration.
4. The Planning Board has carefully considered environmental information that was prepared by the Applicant's representatives or the Town's staff, which included but was not limited to: descriptions; maps; drawings; analyses; reports; reviews; aerial photographs; and Part 1 of an Environmental Assessment Form (the "EAF") (collectively, the "Environmental Analysis").
5. The Planning Board also has included in the Environmental Analysis and has carefully considered additional information and various oral or written comments that may have resulted from meetings with or written correspondence from the Applicant's representatives.
6. The Planning Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from various involved and interested agencies, including but not limited to the Monroe County Department of Planning and Development and the Town's own staff.
7. The Planning Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from owners of nearby properties or other interested parties, and all other relevant comments submitted to the Planning Board as of this date.
8. The Environmental Analysis examined the relevant issues associated with the Proposal.
9. The Planning Board has completed Parts 2 and 3 of the EAF, and has carefully considered the information contained therein.
10. The Planning Board has met the procedural and substantive requirements of SEQRA.
11. The Planning Board has carefully considered each and every criterion for determining the potential significance of the Proposal and the Project upon the environment, as set forth in SEQRA.
12. The Planning Board has carefully considered (that is, has taken the required "hard look" at) the Proposal and the Project and the relevant environmental impacts, facts, and conclusions disclosed in the Environmental Analysis.
13. The Planning Board concurs with the information and conclusions contained in the Environmental Analysis.
14. The Planning Board has made a reasoned elaboration of the rationale for arriving at its determination of environmental significance and the Planning Board's determination is supported by substantial evidence, as set forth herein.
15. To the maximum extent practicable, potential adverse environmental impacts revealed in the environmental review process will be avoided or minimized by the Applicant's voluntary incorporation of mitigation measures that were identified as practicable.

NOW, THEREFORE, be it

RESOLVED that, pursuant to SEQRA, based on the aforementioned information, documentation, testimony, and findings, and after examining the relevant issues, the Planning Board's own initial concerns, and all relevant issues raised and recommendations offered by involved and interested agencies and the Town's own staff, the Planning Board determines that the Proposal will not have a significant adverse impact on the environment, which constitutes a negative declaration.

PLANNING BOARD MINUTES
March 16, 2016

VOTE:	Antelli	Yes	Burke	Yes
	Helfer	Absent	Slocum	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

MOTION CARRIED

Mr. Selke then made the following motion, seconded by Ms. Antelli, to approve the Proposal, subject to the following conditions:

1. The Applicant shall develop the Premises in conformity with all details of the Proposal as presented in the written descriptions and site development plans, as orally presented to the Planning Board, and as set forth herein. In the event of any conflict among the oral or written descriptions of the proposal, the site development plans of the proposal, or the requirements or restrictions of this resolution, the Applicant agrees that the Planning Board shall determine the resolution of such dispute.
2. The Applicant shall modify the plan to provide a functioning driveway for vehicular cross access with the property at 1273 Long Pond Road. A cross access easement shall be provided in a form acceptable to the Planning Board Attorney, and shall contain a provision which prohibits substantial modification or termination of the easement without prior approval of the Town of Greece. Such easement shall be recorded in the Office of the Monroe County Clerk.
3. No building permits shall be issued unless and until highway permits are issued. A note that indicates this requirement shall be added to the plan.
4. Addresses for each building shall be added to the plan.
5. The landscaping on the Premises shall be maintained by the current owner of the Premises, and by any future owner. The owner of the Premises shall replace any dead plants with the same species or a similar species. The replacement plant shall be no smaller than the previous plant when it originally was installed. A note that indicates these requirements shall be added to the plan.
6. Prior to the issuance of a Final Certificate of Occupancy for the Premises, The Applicant shall provide certification verifying proper installation of landscape areas on the site in accordance with the landscape plan approved by the Planning Board, and in accordance with the Town's Landscape Guidelines for Development. Such certification shall be on the certification form provided in such guidelines and shall be completed by a [New York State Licensed Landscape Architect or Certified Nursery Professional]. A note that indicates these requirements shall be added to the plan.
7. All heating, ventilation, and air conditioning (HVAC) equipment shall be screened from public view. If the HVAC equipment is or will be roof-mounted, the screening for such HVAC equipment shall be visually compatible with the proposed building(s), and shall be shown on the architectural elevations of the building(s). If the HVAC equipment is or will be ground-mounted, its location shall be shown on the site plan. Evidence that such HVAC equipment is or will be screened shall be submitted for review and approval by the Clerk of the Planning Board prior to affixing the Planning Board approval signature to the site plan.

PLANNING BOARD MINUTES
March 16, 2016

8. The exterior appearance (that is, materials, colors, and architectural style) of the proposed building shall be the same on all sides of the proposed building. As offered and agreed by the Applicant, such materials and colors shall be brick (in the tan color family) and EIFS and aluminum panels
9. (In the taupe color family), with cedar accents. Elevations of the exterior appearance shall identify these colors and materials, shall show all sides of the proposed building, and shall be filed with the site plan.
10. Light spill shall be contained on the Premises. Outdoor light sources shall be aimed or shielded so that they are not visible when viewed from off the Premises, and so that light spill is cast only downward onto the Premises. Exempt from this requirement are low-wattage or low-voltage lights that are located near the principal entrance to a building, and low-wattage or low-voltage lights, not higher than 42 inches above grade, that define a walkway or other access to a building. A note that indicates this requirement shall be added to the plan.
11. Snow storage areas shall be identified on the plan.
12. The special use permit and area variances that were granted and the date on which they were granted shall be added to the plan.
13. The locations of the designated fire lanes shall be shown on the Site Plan.
14. The locations of all exterior doors shall be shown on the plan. All exterior doors shall be connected by a sidewalk to an acceptable fire safety zone.
15. Water mains and hydrants shall be installed and be in proper operating conditions prior to the commencement of any aboveground construction.
16. Suitable access roads and temporary street signs shall be installed and maintained so as to provide continuous access to fire department and other emergency vehicles prior to the commencement of any aboveground construction.
17. Permanently mounted "No Parking – Fire Lane" signs shall be posted along the fire lanes at intervals of 50 feet or less. A note that indicates this requirement shall be added to the plan.
18. No building permits shall be issued unless and until the Applicant executes an agreement for maintenance of the proposed storm water management facilities. Such agreement shall be subject to approval by the Planning Board's Attorney and the Commissioner of Public Works.
19. No final approval signature shall be placed on the plans unless and until the appropriate easement documents have been prepared and provided to the Town for review.
20. No building permits shall be issued unless and until the appropriate easement documents, including all necessary map references, have been filed in the Office of the Monroe County Clerk.
21. Subject to approval by the Town's Fire Marshal, Commissioner of Public Works, and Engineering staff.
22. Wherever this resolution refers to a specific applicant, developer, operator, or property owner, it shall be construed to include any successors and assigns.
23. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
24. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.

PLANNING BOARD MINUTES
March 16, 2016

VOTE:	Antelli	Yes	Burke	Yes
	Helfer	Absent	Slocum	Yes
	Selke	Yes	Sofia	Yes
	Fisher	Yes		

MOTION CARRIED
APPLICATION APPROVED

PLANNING BOARD MINUTES
March 16, 2016

New Business

None

SPECIAL PLANNING TOPICS

Old Business

None

New Business

None

CODE ENFORCEMENT

ADJOURNMENT: 8:40 p.m.

APPROVAL OF PLANNING BOARD MEETING MINUTES

The Planning Board of the Town of Greece, in the County of Monroe and State of New York, rendered the above decisions.

Signed: _____

Alvin I. Fisher, Jr., Chairman

Date: _____